

Via Rail train probe finds high speeds in deadly crash

'Sadly, this crew paid the ultimate price — they lost their lives,' TSB investigator says

Mar 1, 2012 12:07 PM ET



*The Via Rail train that derailed Sunday while changing tracks was travelling at four times the accepted speed limit for such a manoeuvre, according to the Transportation Safety Board.
(Nathan Denette/Canadian Press)*



[Derailment probe update 11:26](#)

A deadly Via Rail train derailment west of Toronto last weekend was caused by excessive speed, Transportation Safety Board investigators said Thursday.

The train was going four times faster than it should have been when it derailed in Burlington, Ont., on Sunday, TSB investigator Tom Griffith told reporters.

According to investigators, the Toronto-bound train was travelling 67 miles an hour (108 km/h) while changing tracks. The speed limit for changing tracks is 15 m.p.h., or 24 km/h.

"While we know the excess speed caused the derailment, this is not the end of the investigation," Griffith told a morning news conference in Richmond Hill, north of Toronto. "It's only the beginning."

Investigators say the brakes were not applied before the train crashed.

Three Via engineers, including a new employee, were killed and dozens of passengers were injured in the derailment.

Griffith said the safety board is not out to lay blame in its investigation but to find out the factors behind the derailment.

"No crew sets out to have an accident. Sadly, this crew paid the ultimate price — they lost their lives," he said.

No voice recordings available

Griffith also said the investigation will be made more challenging by the fact that trains are not equipped with voice recorders, something that the Transportation Safety Board has long said should be mandatory.



Transportation Safety Board investigator Tom Griffith said Thursday the investigation into Sunday's fatal Via Rail derailment is not over. 'This is only the beginning,' he said. (CBC)

If the TSB knew what the engineers on Via Rail train No. 92 were saying, investigators would be able to understand the decisions the crew made "leading up to this accident," Griffith said.

When investigators finish the initial part of their investigation, Griffith said, the TSB "will begin a thorough analysis of the information gathered."

That will include trying to find out why the train travelling from the Niagara Region was moving so fast as it changed tracks, as well as examining all the equipment, system and human factors that “may have influenced the crew’s performance.”

2nd class action launched

Meanwhile, a second proposed class-action lawsuit has been launched against Via.

Toronto law firms Koskie Minsky and Howie Sacks & Henry began the class action Wednesday on behalf of passenger David Carmichael. It seeks compensation for passengers who were aboard the train as well as their family members.

Toronto law firm Falconer Charney and Windsor, Ont.-based Sutts, Strosberg are also pursuing a class action.

Class actions must be approved by a court before they can proceed.

Sutts, Strosberg handled a class action in a 1999 Via derailment in Thamesville, Ont., that killed two crew members and injured 77 passengers and crew. The company settled and paid damages.

With files from The Canadian Press